IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 18619 of 2005(N)

EP.125/2003 of SUB COURT, MANJERI
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PETITIONER:

K.SUHARA, AGED 32 YEARS,
W/O. ABDUL BASHEER, MATHUMMATHODI HOUSE,
PATHAIKKARA P.O., PERINTALMANNA, MALAPPURAM DIST.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS:
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1. PERINTALMANNA TALUK RURAL HOUSING CO-OPERATIVE SOCIETY LTD., REPRESENTED BY ITS SECRETARY, PERINTHALMANNA P.O., MALAPPURAM DIST.

2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, PERINTHALMANNA, MALAPPURAM DIST.

3. THE KERALA CO-OPERATIVE TRIBUNAL, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE ORDER OF SECOND RESPONDENT DTD.24-4-02**
EXT.P2	**TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DTD. 30-12-04**
EXT.P3	**TRUE COPY OF THE EXECUTION PETITION DTD. 1-9-03**
EXT.P4	**TRUE COPY OF THE RECEIPT DTD. 19-10-04**
EXT.P5	**TRUE COPY OF LATEST SCHEME OF ONE TIME SETTLEMENT.**

/True Copy/

PA to Judge.

PIUS C. KURIAKOSE, J.

W.P.(C) No. 18619 OF 2005

Dated this the 29th day of June, 2007

JUDGMENT

There is no representation for the petitioner. The 1st respondent-Society which is the decree holder has not entered appearance before this Court. Probably the petitioner has complied with the condition imposed by this Court that a sum of Rs.50,000/- shall be deposited by the petitioner within three weeks from 21.06.05 and the issue itself has been settled between the parties under some scheme like One Time Settlement Scheme. Under these circumstances, the Writ Petition will stand disposed of issuing the following directions:

The court below will verify whether the petitioner has remitted the sum of Rs.50,000/- to be deposited by the petitioner under the conditional order dt.21.06.05 within the time limit towards the decree debt. If it is seen on such verification that remittance has already been made, then the court below will hear both parties again and take fresh decision as to what is the correct balance amount payable under the decree. It is needless to mention that the above condition need not be complied with, if the issue is already settled between the parties.

PIUS C. KURIAKOSE, JUDGE

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